

AMENDED IN ASSEMBLY MAY 14, 1996  
AMENDED IN ASSEMBLY MARCH 27, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

**ASSEMBLY BILL**

**No. 3314**

**Introduced by Assembly Member Baldwin**

February 23, 1996

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An act to amend Section 653k of the Penal Code, relating to weapons.

LEGISLATIVE COUNSEL'S DIGEST

AB 3314, as amended, Baldwin. Weapons: switchblade knives.

Existing law defines switchblade knife, for purposes of prohibiting the possession, sale, or other transfer of a switchblade knife, as a knife having the appearance of a pocketknife and including a spring-blade knife, snap-blade knife, gravity knife or any other similar type of knife, the blade or blades of which are 2 or more inches long and which can be released automatically by the flick of a button, pressure on the handle, flip of the wrist or other mechanical device, or is released by the weight of the blade or by any type of mechanism whatsoever.

This bill would provide that a switchblade knife does not include a knife that is designed to open with one hand utilizing thumb pressure applied solely to the blade of the knife or a thumb stud attached to the blade, *unless the knife is concealed*

*upon a person with the intent to use the knife in an offensive manner.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 653k of the Penal Code is  
2 amended to read:

3 653k. Every person who possesses in the passenger's  
4 or driver's area of any motor vehicle in any public place  
5 or place open to the public, carries upon his or her person,  
6 and every person who sells, offers for sale, exposes for sale,  
7 loans, transfers, or gives to any other person a switchblade  
8 knife having a blade two or more inches in length is guilty  
9 of a misdemeanor.

10 For the purposes of this section, "switchblade knife"  
11 means a knife having the appearance of a pocketknife  
12 and includes a spring-blade knife, snap-blade knife,  
13 gravity knife or any other similar type knife, the blade or  
14 blades of which are two or more inches long and which  
15 can be released automatically by a flick of a button,  
16 pressure on the handle, flip of the wrist or other  
17 mechanical device, or is released by the weight of the  
18 blade or by any type of mechanism whatsoever.  
19 "Switchblade knife" does not include a knife that is  
20 designed to open with one hand utilizing thumb pressure  
21 applied solely to the blade of the knife or a thumb stud  
22 attached to the blade, *unless the knife is concealed upon*  
23 *a person with the intent to use the knife in an offensive*  
24 *manner.*

25 For purposes of this section, "passenger's or driver's  
26 area" means that part of a motor vehicle which is  
27 designed to carry the driver and passengers, including  
28 any interior compartment or space therein.

